

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

SAMANTHA SAYLES,

Plaintiff,

v.

ALLSTATE INSURANCE
COMPANY,

Defendant.

CIVIL ACTION NO. 3:16-cv-01534
(SAPORITO, J.)

ORDER

Now before the court is a report and recommendation of United States Magistrate Judge Martin C. Carlson, in which he recommends that defendant's motion for injunctive relief be granted. Doc. 159.

In its motion, the defendant, Allstate, seeks an order enjoining the plaintiff, Sayles, from relitigating discovery issues that have long been foreclosed in this long-running federal case through the recent filing of a state court writ of summons and the subsequent propounding of extensive pre-complaint discovery demands in that new state court proceeding that plainly relate to this federal litigation and to discovery issues previously and definitively resolved in this matter. Judge Carlson recommends that Allstate's motion be granted and the state-court action,

Sayles v. Allstate Ins. Co., Docket No. 697-2024 (Pike Cnty. (Pa.) Ct. Com. Pl. filed June 14, 2024), be enjoined from proceeding any further. Judge Carlson further recommends that Allstate's request for the imposition of sanctions against the plaintiff be deferred.

Sayles has filed her objections to Judge Carlson's report and recommendation. Doc. 166. Allstate has filed a response to the plaintiff's objections. Doc. 167. Sayles has filed a reply to Allstate's response. Doc. 168. We have conducted a de novo review of the contested portions of the report, but find the plaintiff's objections to be unpersuasive and without merit. *See* 28 U.S.C. § 636(b)(1); *United States v. McLaughlin*, 607 F. Supp. 3d 522, 529 (M.D. Pa. 2022).

Following an independent review of the report and the record, and having afforded "reasoned consideration" to the uncontested portions of the report, *E.E.O.C. v. City of Long Branch*, 866 F.3d 93, 99 (3d Cir. 2017), we are satisfied "that there is no clear error on the face of the record," Fed. R. Civ. P. 72(b) advisory committee note to 1983 amendment. As noted above, we find Judge Carlson's analysis to be well-reasoned and fully supported by the record and applicable law, and we find Sayles's specific objections to be without merit. Accordingly, the court will adopt

the report and recommendation in its entirety as the decision of the court.

Accordingly, **IT IS HEREBY ORDERED THAT:**

1. The report and recommendation of Judge Carlson (Doc. 159) is **ADOPTED**;
2. The defendant's motion for injunctive relief (Doc. 146) is **GRANTED** with respect to the requested injunctive relief and **DEFERRED** with respect to the requested imposition of sanctions;
3. Samantha Sayles, all those employed by or affiliated with her counsel of record in this case—Charles Kannebecker, Esq., and the Law Office of Charles Kannebecker, and Scott B. Cooper and Schmidt Kramer PC—and all other who are now acting or may be acting in concert with them, shall be and are hereby **ENJOINED** from pursuing the action styled as *Samantha Sayles v. Allstate Insurance Company*, Docket No. 697-2024 (Pike Cnty. (Pa.) Ct. Com. Pl. filed June 14, 2024), currently pending before the Court of Common Pleas for Pike County, Pennsylvania;
4. The Court of Common Pleas for Pike County, Pennsylvania, shall be and hereby is **ENJOINED** from conducting any further proceedings in the action pending before it and styled as *Samantha*

Sayles v. Allstate Insurance Company, Docket No. 697-2024 (Pike Cnty. (Pa.) Ct. Com. Pl. filed June 14, 2024);

5. This matter shall be **REMANDED** to the United States magistrate judge for further pretrial proceedings, including any further proceedings with respect to the moving defendant's request for the issuance of sanctions in conjunction with its motion for injunctive relief (Doc. 146) and with respect to the defendant's pending motion for summary judgment (Doc. 149).

Dated: December 10, 2024

s/Joseph F. Saporito, Jr.
JOSEPH F. Saporito, Jr.
United States District Judge